

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Christine Powell, *et al.*, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

SUBARU OF AMERICA, INC., *et al.*,

Defendants.

Case No. 1:19-cv-19114-MJS

Motion Date: April 21, 2025

**PLAINTIFFS' UNOPPOSED
MOTION FOR FINAL APPROVAL
OF CLASS ACTION
SETTLEMENT**

PLEASE TAKE NOTICE that on April 21, 2025, at 10:00 a.m., or as soon thereafter as the matter can be heard, Plaintiffs Jeffrey Barr, Arnold Milstein, Allan Zaback, and Brittany Funk (“Plaintiffs”), individually and on behalf of all others similarly situated, will move this Court before Hon. Matthew J. Skahill, U.S.M.J., pursuant to Federal Rule of Civil Procedure 23 to enter the proposed Order Granting Plaintiffs’ Unopposed Motion for Final Approval of Class Action Settlement.

In support of this motion, Plaintiffs rely upon the accompanying Memorandum of Law and the authorities cited therein; the declarations of Peter A. Muhic, Russell D. Paul, and Edwin J. Kilpela, Jr., individually and jointly as Class Counsel, submitted herewith; the declaration of Marcia A. Uhrig of JND Legal Administration; the Settlement Agreement and Release; the proposed Final Approval Order and Judgment, previously attached to the Settlement Agreement, as Ex. C and submitted herewith; and all files, records, and proceedings in this matter.

Plaintiffs state as follows:

1. The Parties entered into a Settlement Agreement (ECF No. 147-1), to which the Court previously granted preliminary approval. ECF No. 155.
2. This motion is not opposed by Defendants Subaru of America, Inc. and Subaru Corporation.
3. Plaintiffs respectfully request that the Court:
 - (a) Grant final approval to the Settlement Agreement as fair, adequate and reasonable;
 - (b) Finally certify the Class as defined in the Settlement Agreement for purposes of settlement;
 - (c) Enter the proposed Final Approval Order and Judgment granting final approval of the proposed Settlement;
 - (d) Grant final appointment of Plaintiffs as Settlement Class Representatives;
 - (e) Grant final appointment of the Interim Rule 23(g) Class Counsel, Peter A. Muhic, Edwin J. Kilpela, Jr. and Russell D. Paul as Class Counsel;
 - (f) Grant final appointment of JND Legal Administration (“JND”) as the Settlement Administrator;
 - (g) Direct the implementation of the Settlement in accordance with the terms and conditions of the Settlement Agreement;
 - (h) Dismiss the Action with prejudice upon the Effective Date; and

(i) Grant such other and further relief as the Court deems equitable and just.

Dated: January 16, 2025

Respectfully submitted,

By: /s/Peter A. Muhic

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